AMENDMENTS TO THE CLAIMS

1.   (Previously Presented) A method of querying a client computer by a server over a communication network to determine whether said client computer has sufficient performance capability in order to utilize an on-line service, comprising:

allowing a query program to be downloaded to said client computer, said query program, upon execution, querying said client computer for at least one performance parameter;

transmitting said at least one performance parameter to said server;

determining whether said client computer has a sufficient performance capability to utilize said on-line service based on said at least one performance parameter; and

storing a certification file in said client computer only if said client computer is determined to have said sufficient performance capability, said certification file being accessible by said server.

2.   (Cancelled)

3.   (Original) The method of querying a client computer in accordance with claim 1, further comprising:

determining whether said client computer was previously certified, said client computer being previously certified if a certification file is stored in said client computer.

4.   (Original) The method of querying a client computer in accordance with claim 1, wherein:

said query program is configured to issue one or more application program interface function calls to an operating system of said client computer, said operating system

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returning said at least one performance parameter in response to said one or more application program interface function calls.

5.   (Original) The method of querying a client computer in accordance with claim 1, further comprising:

    storing a certification criteria in a storage of said server.

6.   (Previously Presented) The method of querying a client computer in accordance with claim 5, wherein said step of determining whether said client computer has said sufficient performance capability comprises:

    comparing said at least one performance parameter against said certification criteria.

7.   (Original) The method of querying a client computer in accordance with claim 1, further comprising:

    suggesting a remediation to a user of said client computer if it was determined that said client computer does not have said sufficient performance capability.

8.   (Previously Presented) The method of querying a client computer in accordance with claim 1, further comprising:

    storing a client computer database in a storage of said server.

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9.   (Original) The method of querying a client computer in accordance with claim 8, further comprising:

updating said client computer database with said at least one performance parameter.

10.   (Previously Presented) A computer readable storage medium on which is embedded one or more computer programs, said one or more computer programs implementing a method of querying a client computer by a server over a communication network to determine whether said client computer has sufficient performance capability in order to utilize an on-line service, said one or more computer programs comprising a set of instructions for:

allowing a query program to be downloaded to said client computer, said query program, upon execution, querying said client computer for at least one performance parameter;

transmitting said at least one performance parameter to said server;

determining whether said client computer has a sufficient performance capability to utilize said on-line service based on said at least one performance parameter; and

storing a certification file in said client computer only if said client computer is determined to have said sufficient performance capability, said certification file being accessible by said server.

11.   (Cancelled)

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12.   (Previously Presented) The computer readable storage medium according to claim 10, wherein said one or more computer programs further comprise a set of instructions for:

determining whether said client computer was previously certified, said client computer being previously certified if a certification file is stored in said client computer.

13.   (Previously Presented) The computer readable storage medium according to claim 10, wherein:

said query program is configured to issue one or more application program interface function calls to an operating system of said client computer, said operating system returning said at least one performance parameter in response to said one or more application program interface function calls.

14.   (Previously Presented) The computer readable storage medium according to claim 10, wherein said one or more computer programs further comprise a set of instructions for:

storing a certification criteria in a storage of said server.

15.   (Previously Presented) The computer readable storage medium according to claim 14, wherein said one or more computer programs further comprise a set of instructions for:

comparing said at least one performance parameter against said certification criteria.

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16.   (Previously Presented) The computer readable storage medium in according to claim 10, wherein said one or more computer programs further comprise a set of instructions for:

suggesting a remediation to a user of said client computer if it was determined that said client computer does not have said sufficient performance capability.

17.   (Previously Presented) The computer readable storage medium according to claim 10, wherein said one or more computer programs further comprise a set of instructions for:

storing a client computer database in a storage of said server.

18.   (Previously Presented) The computer readable storage medium according to claim 17, wherein said one or more computer programs further comprise a set of instructions for:

updating said client computer database with said at least one performance parameter.

19.   (Previously Presented) A system for remotely querying a client computer by a server over a communication network, comprising:

a communication network; and

a server configured to allow a query program to be downloaded to said client computer, said query program, upon execution, querying said client computer for at least one performance parameter, said server further configured to receive said at least one performance parameter from said querying program, to determine whether said client computer has a sufficient performance capability to utilize an on-line service based on said at least one performance parameter, and to store a certification file in said client computer only if said client

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computer is determined to have said sufficient performance capability, said certification file being accessible by said server.

20.   (Cancelled)

21.   (Original) The system for remotely querying a client computer according to claim 19, wherein:

said server is configured to determine whether said client computer was previously certified, said client computer being previously certified if a certification file is stored in said client computer.

22.   (Original) The system for remotely querying a client computer according to claim 19, wherein:

said query program is configured to issue one or more application program interface function calls to an operating system of said client computer, said operating system returning said at least one performance parameter in response to said one or more application program interface function calls.

23.   (Original) The system for remotely querying a client computer according to claim 19, wherein:

said server is configured to store a certification criteria in a storage of said server.

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24.   (Original) The system for remotely querying a client computer according to claim 23, wherein:

said server is configured to compare said at least one performance parameter against said certification criteria.

25.   (Original) The system for remotely querying a client computer according to claim 19, wherein:

said server is configured to suggest a remediation to a user of said client computer if it was determined that said client computer does not have said sufficient performance capability.

26.   (Previously Presented) The system for remotely querying a client computer according to claim 19, wherein:

said server is configured to store a client computer database in a storage of said server.

27.   (Original) The system for remotely querying a client computer according to claim 26, wherein:

said server is configured to update said client computer database with said at least one performance parameter.

28-30. (Cancelled)

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STATUS AND SUMMARY

The Examiner has rejected claims 1, 3-7, 10, 12-16, 19 and 21-25 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,470,378 to *Tracton et al.* in view of U.S. Patent No. 6,584,507 to *Bradley et al.*

The Examiner has rejected claims 8, 9, 17, 18, 26 and 27 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,470,378 to *Tracton et al.* in view of U.S. Patent No. 6,584,507 to *Bradley et al.*, and further in view of U.S. Patent No. 5,732,218 to *Bland et al.*

Claims 1, 3-10, 12-19 and 21-27 remain pending in this application.